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Attorney for Defendants
JENNIFER KREITZ; RHONDA DUGGAN; BOB
GARDNER; JOHN PETERS; STACY CORLESS;
and THOMAS BOO

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

CINDY ABSHIRE; TIMOTHY ABSHIRE;
ALAN BUTTS; MONICA BUTTS;
NOMADNESS CORPORATION, a California
corporation; and THE MAMMOTH LAKES
BUSINESS COALITION, an unincorporated
membership association,

Plaintiffs,

v.

GAVIN NEWSOM, in his capacity as
Governor of the State of California; XAVIER
BECERRA, in his capacity as California
Attorney General; MARK GHALLY, in his
capacity as the Health and Human Services
Director for the State of California; TOMAS
ARAGON, in his capacities as Director of the
California State Department of Health and as
State Public Health Officer for the State of
California; JENNIFER KREITZ, in her
capacity as the Chair of the Board of
Supervisors of Mono County, California;
RHONDA DUGGAN, in her capacity as a
Member of the Board of Supervisors of Mono
County, California; BOB GARDNER, in his
capacity as a member of the Board of
Supervisors of Mono County, California;
JOHN PETERS, in his capacity as a member
of the Board of Supervisors of Mono County,
California; STACY CORLESS, in her
capacity as a member of the Board of
Supervisors of Mono County, California;
THOMAS BOO, in his capacities as Public
Health Officer for Mono County and the Town

Case No. 2:21-cv-00198-JAM-KJN

**STIPULATION AND ORDER EXTENDING
RULE 26(f) JOINT STATUS REPORT DATE
BASED ON PENDING MOTIONS TO
DISMISS**

of Mammoth Lakes, California; ROB PATTERSON, in his capacity as a Finance Director of the Town of Mammoth Lakes, California; BEN MANNING, in his capacity as a Revenue Specialist of the Town of Mammoth Lakes, California; KIM GETCHELL, in her capacity as a Revenue Specialist of the Town of Mammoth Lakes, California; JENNA DUNCAN, in her capacity as a revenue Specialist of the Town of Mammoth lakes, California; DANIEL HOLLER, in his capacity as Town Manager of the Town of Mammoth Lakes; BILL SAUSER, in his capacity as a mayor of the town of Mammoth Lakes, California; LYNDAL SALCIDO, in her capacity as a Mayor Pro Tem of the Town of Mammoth lakes, California; JOHN WENTWORTH, in his capacity as a Member of the Town Council of the Town of Mammoth Lakes, California; KIRK STAPP, in his capacity as a member of the Town Council of the Town of Mammoth Lakes, California; SARAH REA, in her capacity as a Member of the Town Council of the town of Mammoth Lakes, California; and DOES 1-10 inclusive,

Defendants.

WHEREAS, Plaintiffs filed the operative complaint with the Court on February 1, 2021, (Dkt. 1);

WHEREAS, Defendants filed motions to dismiss Plaintiffs' complaint on March 23, 2021 (Dkt. 15, 17, 18);

WHEREAS, Defendants' motions to dismiss are set for hearing on May 18, 2021;

WHEREAS, pursuant to this Court's Order Requiring Service of Process and Joint Status Report (Dkt. 5), the parties understand the current deadline to submit a Rule 26(f) joint status report is April 13, 2021;

WHEREAS, the parties' interests in minimizing discovery costs while the pleadings are not set, as well as judicial economy, are served by delaying the Rule 26(f) joint status report and all related requirements until fourteen (14) days after Defendants file their answers.

NOW THEREFORE, THE PARTIES TO THIS ACTION STIPULATE THROUGH THEIR RESPECTIVE COUNSEL TO THE FOLLOWING:

1 1. That counsel of record have authority to enter this Stipulation on behalf of their
2 respective clients;

3 2. That the parties request the Court enter an order extending the deadline for the
4 parties to prepare and submit a Rule 26(f) joint status report and all related requirements until
5 fourteen (14) days after Defendants file their answers; and

6 3. The parties agree that any discovery in this matter shall not be served until a
7 scheduling order or other similar order is issued following the parties' submittal of the Rule 26(f)
8 joint status report and incorporated discovery plan.

9 **IT IS SO STIPULATED.**

11 DATED: April 9, 2021

SELMAN BREITMAN LLP

13
14 By: /s/ Danielle K. Lewis
DANIELLE K. LEWIS
Attorney for Defendants
JENNIFER KREITZ; RHONDA
15 DUGGAN; BOB GARDNER; JOHN
16 PETERS; STACY CORLESS; and
17 THOMAS BOO

18 DATED: April ___, 2021

BAILEY & ROMERO

20
21 By: _____
STEVEN C. BAILEY
22 MARTHA E. ROMERO
Attorneys for Plaintiffs
23 CINDY ABSHIRE; TIMOTHY
24 ABSHIRE; ALAN BUTTS; MONICA
25 BUTTS; NOMADNESS
CORPORATION; and THE MAMMOTH
26 LAKES BUSINESS COALITION
27
28

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11 DATED: April 9, 2021

SELMAN BREITMAN LLP

By:

DANIELLE K. LEWIS
Attorney for Defendants
JENNIFER KREITZ; RHONDA
DUGGAN; BOB GARDNER; JOHN
PETERS; STACY CORLESS; and
THOMAS BOO

18 DATED: April ___, 2021

BAILEY & ROMERO

By:

Steven C. Bailey
STEVEN C. BAILEY
MARTHA E. ROMERO
Attorneys for Plaintiffs
CINDY ABSHIRE; TIMOTHY
ABSHIRE; ALAN BUTTS; MONICA
BUTTS; NOMADNESS
CORPORATION; and THE MAMMOTH
LAKES BUSINESS COALITION

DATED: April 9, 2021

MATTHEW RODRIGUEZ
Acting Attorney General of California
JON S. ALLIN
Supervising Deputy Attorney General

By: /Jon S. Allin
JON S. ALLIN
Supervising Deputy Attorney General
ANTHONY J. TARTAGLIO
Deputy Attorney General
Attorneys for Defendants
Gavin Newsom, Xavier Becerra, Mark
Ghaly, and Tomás Aragón (in their official
capacities)

DATED: April 9, 2021

MEYERS NAVE

By: /s/ Deborah Fox
DEBORAH FOX
MATTHEW NAZARETH
Attorney for Defendants
DANIEL HOLLER; ROB PATTERSON;
BEN MANNING; KIM GETCHELL;
JENNA DUNCAN; BILL SAUSER;
LYNDA SALCIDO; JOHN
WENTWORTH; KIRK STAPP; and
SARAH REA

FILER'S ATTESTATION

I, Danielle K. Lewis, hereby attest that all other signatories listed herein concur in the
filing's content and have authorized the filing.

DATED: April 13, 2021

/s/ Danielle K. Lewis
DANIELLE K. LEWIS

ORDER

The Court, having reviewed the Parties' stipulation regarding extending the deadline to file a Rule 26(f) joint status report, and good cause appearing therefore, IT IS HEREBY ORDERED that the deadline for the parties to prepare and submit a Rule 26(f) joint status report be extended until fourteen (14) days after Defendants file their answers, and that neither party shall serve discovery until a scheduling order or other similar order issues pursuant to such joint status report and discovery plan.

DATED: April 13, 2021

/s/ John A. Mendez

THE HONORABLE JOHN A. MENDEZ
UNITED STATES DISTRICT COURT JUDGE

Selman Breitman LLP
ATTORNEYS AT LAW